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Bills introduced in Parliament of India, Reports of Select Committees presented to Parliament and Bills published under Rule 55 of the Rules of Procedure and Conduct of Business in Parliament.

PARLIAMENT OF INDIA.

The following Bill was introduced in Parliament on the 9th March, 1950 :—

BILL NO. 21 OF 1950.

A Bill to provide for the removal from one State to another of persons confined in a prison.

BE it enacted by Parliament as follows :—

1. *Short title and extent.*—(*1*) This Act may be called the Transfer of Prisoners Act, 1950.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. *Definitions.*—In this Act,—

(*a*) "court" includes any officer lawfully exercising civil, criminal or revenue jurisdiction ;

(*b*) "Government" or "State Government", in relation to a Part C State, means the Chief Commissioner of that State ;

(*c*) "prison" includes any place which has been declared by a State Government, by general or special order, to be a subsidiary jail.

3. *Removal of prisoners from one State to another.*—(*1*) Where any person is confined in a prison in a State,—

(*a*) under sentence of death, or

(*b*) under, or in lieu of a sentence of imprisonment or transportation, or

(*c*) in default of payment of a fine, or

(*d*) in default of giving security for keeping the peace or for maintaining good behaviour ;

the Government of that State may, with the consent of the Government of any other State, by order, provide for the removal of the prisoner from that prison to any prison in the other State.

(2) The officer in-charge of the prison to which any person is removed under sub-section (*1*) shall receive and detain him, so far as may be, according to the exigency of any writ, warrant or order of the court in the first State by which such person has been committed, or until such person is discharged or removed in due course of law.

4. *Amendment of section* 29, *Act III of* 1900.—In sub-section (*1*) of section 29 of the Prisoners Act, 1900, the words "or, with the consent of the State Government concerned, to any prison in any other State" shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Section 29 of the Prisoners' Act, 1900, *inter alia* provides for the inter-State transfer or prisoners between the States in Parts A, C and D of the First Schedule to the Constitution. There is no provision, however, either in the Prisoners' Act, 1900, or any other law for the transfer of prisoners from prisons in those States to prisons in Part B States and *vice versa*. Cases may arise where the removal or transfer of prisoners from Parts A, C and D States to Part B States and *vice versa* may be considered administratively desirable or necessary.

This Bill is intended to provide legal sanction for such transfers or removals.

VALLABHBHAI PATEL

NEW DELHI;

The 27th February, 1950.

M. N. KAUL, Secy.

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